

ground, or tenement, to the intent that every person affected by the work or proceeding to which such notice relates may have due notice thereof: provided always, with regard to every such notice, so far as relates to the service thereof upon any such owner, that if it be served upon the immediate landlord of the occupier or upon his agent, by or on behalf of the person by whom it is hereby required to be served in the first instance, then, although it may not be served by such immediate landlord upon any other landlord or owner, such service is to be deemed to be sufficient service; but that nevertheless, if any owner suffer damage by the failure of any other person, being either the occupier or any person holding under such owner, to serve such notice, then such owner shall be entitled to recover the amount thereof against such person by whom such damage shall have been occasioned; and that every notice served under this clause on any person must contain a copy of the provisions thereof, so far as they require him to transmit the same to his immediate landlord, or the agent of such landlord.

Mode of Service upon Occupier.

118. And be it enacted, with regard to notices by this Act required, so far as relates to the mode of service thereof upon the occupier of any building or ground, that if such notice be intended for the occupier of any building or ground then it must be given either personally or by leaving the same with some inmate at the premises, or it must be affixed as aforesaid.

Mode of Service upon Owners by Delivery—Effect of Notice.

116. And be it enacted, further, with regard to all such notices, so far as relates to the mode of service thereof upon owners by delivery, that every such notice (except such notice as may according to the provision in that behalf be sent by post) must be given either personally or by leaving the same with some inmate at the usual place of abode of such party, or if that be not known then at his last known place of abode; and that every such notice, when so given to such persons respectively as aforesaid, or left at the last known place of their respective abodes, or when so affixed as aforesaid, according to the cases herein-before mentioned, shall have the same effects and consequences as if given to the actual owner.

Mode of Service upon Owners by Transmission.

115. And be it enacted, further, with regard to notices, so far as relates to the mode of service thereof by transmission, that if any owner upon whom the same is required to be served be not within the limits of this Act, or have not within the limits of this Act any agent acting in his behalf in the matter of the premises to which the notice refers, then it shall be lawful to give notice by post letter, duly registered according to the practice for the time being adopted with regard to letters transmitted by post, but so that nevertheless such letter be posted in such time as will afford to the person addressed, after the receipt of such letter, the full period of notice required in the case.

Notices for Surveyors and Official Referees.

116. And be it enacted, with regard to notices, so far as relates to the service thereof upon the surveyors and upon the official referees, that if the notice relate to the

surveyor then such notice must be served at the office of the surveyor; and that if the notice relate to the official referees or any of them, then such notice must be left at the office of the registrar of metropolitan buildings.

Consent by Incapacitated Persons.

117. And be it enacted, with regard to consents by this Act required to be given by the owner or occupier of any building or ground, so far as relates to the making thereof on behalf of incapacitated persons, that if such owner or occupier be a married female, not being a co-tenant in regard to the property to which such consent relates, then such consent must be given by the husband of such married female; or that if such owner or occupier be an infant, idiot, or lunatic, or cestuique trust, then such consent must be given by the guardian, trustee, or committee of such infant, idiot, or lunatic, or cestuique trust; or that if such owner or occupier, husband, trustee, guardian, or committee, be not known or cannot be found, then with a view to protect the interests of such parties, as well as to facilitate the purposes of this Act, it shall be lawful for the official referees and they are hereby authorized, by writing duly sealed by the registrar of metropolitan buildings, to give such consent as may be requisite, upon such terms and subject to such conditions as may seem fit to them, having regard alike to the nature and purpose of the subject matter in respect of which such consent is to be given, and to the fair claims of the parties on whose behalf such consent is to be given.

Exemption from Stamp Duty.

118. And be it enacted, with regard to the following documents, so far as relates to the payment of stamp duty in respect thereof, that every certificate and every award required to be made or signed by the surveyor or the official referees shall be and is hereby exempted from stamp duty.

119. And be it enacted, that this Act shall be deemed to be a public Act, and shall be judicially taken notice of as such by all judges, justices, and other persons whomsoever, without specially pleading the same.

120. And be it enacted, that this Act may be amended or repealed by any Act to be passed in this present session of Parliament.

SCHEDULES TO WHICH THE FOREGOING ACT REFERS.

SCHEDULE (A).—This schedule contains merely a description of the Acts and parts of Acts repealed by this Act.

SCHEDULE (B).—(See § 5 & 7.—PART I.—List of Buildings, of whatever Class, placed under Special Supervision.

Bridges, embankment walls, retaining walls, and wharf or quay walls; and her Majesty's royal palaces, and any building being in the possession of her Majesty, her heirs and successors, or employed for her Majesty's use or service; and any common goals, prisons, houses of correction, and places of confinement under the inspection of the Inspectors of Prisons, and Bethlem Hospital and the house of occupations adjoining; and the Mansion House, Guildhall, and Royal Exchange of the city of London; and the offices and buildings of the Governor

and Company of the Bank of England already erected and which now form the edifice called "The Bank of England," and any offices and buildings hereafter to be erected for the use of the said governor and company, either on the site of, or in addition to, and in connection with, the said edifice; and the buildings of the British Museum already erected or to be erected for the like purposes; and the erections and buildings authorized by an Act passed in the ninth year of the reign of his late Majesty King George the Fourth, for the purposes of a market in Covent Garden; and the warehouses of or belonging to the Saint Katharine Dock Company, commonly called the New-street and Cutler-street Warehouses, and the Haydon-square Warehouses, purchased by the said company from the East India Company; and all other buildings exempted by any Act of Parliament from the operation of the Act passed in the fourteenth year of his late Majesty King George the Third, and by this Act repealed, except buildings included in the second part of this schedule.

SCHEDULE (B).—PART II.—List of Buildings, of whatever class, exempted from supervision.

And the warehouses of or belonging to the Saint Katharine Dock Company, and situate in the parish of Saint Botolph-without Aldgate, and in the precinct of Saint Katharine, near the Tower of London, in the county of Middlesex; and the warehouses and buildings of or belonging to the London Dock Company, comprehended within the wall of the said company, as set forth in an Act passed in the ninth year of the reign of his late Majesty King George the Fourth; and the several warehouses and buildings of or belonging to the East and West India Dock Company, established by an Act made in the first year of the reign of her present Majesty; and the buildings erected, or to be erected, by the London and Birmingham Railway Company, established and incorporated by an Act passed in the third year of the reign of his late Majesty King William the Fourth, within and in connection with the works of their railway, by virtue of the several Acts relating thereto; and the buildings and structures belonging to any other dock or railway authorized to be executed by any Act of Parliament.

SCHEDULE (C).—PART I.—(See § 3.)—Rules for determining the Classes and Rates to which Buildings are to be deemed to belong for the purposes of this Act, and the Thicknesses of the Walls of Buildings of such Rates.

CLASSES OF BUILDINGS.—For the purposes of this Act, all buildings of whatever kind, subject to the provisions thereof, are to be deemed to belong to one or other of the following three classes; that is to say,—

First Class.—If a building be built originally as a dwelling-house, or be occupied, or intended to be occupied, as such, then it is to be deemed to belong to the first, or dwelling-house class.

Second Class.—If a building be built originally as a warehouse, storehouse, granary, brewery, distillery, manufactory, workshop, or stable, or be occupied or intended to be occupied as such, or for a similar purpose, then it is to be deemed to belong to the second or warehouse class.

SCHEDULE (C).—PART II.—(See § 5.)

CONDITIONS for determining the Rates to which Buildings of the First or Dwelling-House Class are to be deemed to belong, and the Thickness of the External Walls and of the Party-Walls thereof.

In reference to Height.	In reference to Area.	In reference to Stories.	Rate of Building.	Requisite Thickness of External Walls of each Rate of the First Class.	Requisite Thickness of Party Walls of each Rate of the First Class.
If the Building be in height more than 70 feet, and not more than 85 feet,	If the building cover more than 10 squares, and not more than 16 squares,	If the building contain more than 7 stories,	It is to be of the First Rate of this class.	And the thickness of the external walls must be at the least 21½ inches from the top of the footing up to the under side of the floor next but three below the topmost floor; and at the least 17½ inches from the under side of the floor next but three below the topmost floor up to the underside of the floor next below the topmost floor; and at the least 13 inches from the underside of the floor next below the topmost floor up to the top of the wall.	And the thickness of the party-walls must be at the least 21½ inches from the top of the footing up to the underside of the floor next but three below the topmost floor; and at the least 17½ inches from the under side of the floor next but three below the topmost floor up to the underside of the floor next below the topmost floor; and at the least 13 inches from the underside of the floor next below the topmost floor up to the top of the wall.
But if it be in height more than 85 feet,	Or if it cover more than 16 squares,	Or if it contain more than 7 stories,	It is to be an extra First Rate of this class.	And the thickness of the external walls must be at the least 21½ inches from the top of the footing up to the under side of the floor next but two below the topmost floor, and at the least 17½ inches from the under side of the floor next but two below the topmost floor up to the top of the wall.	And the thickness of the party-walls must be at the least 21½ inches from the top of the footing up to the under side of the floor next but three below the topmost floor, and at the least 17½ inches from the under side of the floor next but three below the topmost floor up to the underside of the floor next below the topmost floor; and at the least 13 inches from the underside of the floor next below the topmost floor up to the top of the wall.
2. If more than 82 feet, and not more than 70 feet,	Or if it cover more than 6 squares, and not more than 10 squares,	Or if it contain more than 6 stories,	It is to be of the Second Rate of this class.	And the thickness of the external walls must be at the least 17½ inches from the top of the footing up to the under side of the floor next but one below the topmost floor; and at the least 13 inches from the under side of the floor next but one below the topmost floor up to the top of the wall.	And the thickness of the party-walls must be at the least 17½ inches from the top of the footing up to the under side of the floor next but one below the topmost floor; and at the least 13 inches from the under side of the floor next but one below the topmost floor up to the top of the wall.
3. If more than 38 feet, and not more than 82 feet,	Or if it cover more than 4 squares, and not more than 6 squares,	Or if it contain more than 5 stories,	It is to be of the Third Rate of this class.	And the thickness of the external walls must be at the least 17½ inches from the top of the footing up to the under side of the floor next but two below the topmost floor; and at the least 13 inches from the under side of the floor next but two below the topmost floor up to the top of the wall.	And the thickness of the party-walls must be at the least 17½ inches from the top of the footing up to the under side of the floor next but two below the topmost floor; and at the least 13 inches from the under side of the floor next but two below the topmost floor up to the underside of the floor next below the topmost floor; and at the least 13 inches from the underside of the floor next below the topmost floor up to the top of the wall.
4. If not more than 38 feet,	Or if it do not cover more than 4 squares,	Or if it do not contain more than 5 stories,	It is to be of the Fourth Rate of this class.	And the thickness of the external walls must be at the least 13 inches from the top of the footing up to the under side of the floor next below the topmost floor; and at the least 13 inches from the under side of the floor next below the topmost floor up to the top of the wall.	And the thickness of the party-walls must be at the least 13 inches from the top of the footing up to the under side of the floor next but one below the topmost floor; and at the least 13 inches from the under side of the floor next but one below the topmost floor up to the top of the wall.